

11 for unified control of all public playgrounds maintained within said
12 city.

Approved March 29, A. D. 1923.

CHAPTER 124

CITIES AND TOWNS

S. F. 645

AN ACT to amend section one (1) of chapter two hundred and ten (210) acts of the thirty-ninth (39th) general assembly (S. C. C. 3878), relating to contracts and maintenance bonds for street and sewer improvements.

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Bond to repair—exception. That section one (1) of
2 chapter two hundred and ten (210) acts of the thirty-ninth (39th)
3 general assembly (S. C. C. 3878), be and the same is hereby amended
4 by striking from line seven (7) thereof the words “except a street
5 improvement by graveling” and inserting in lieu thereof the follow-
6 ing, viz: “except contracts for street repair and contracts for street
7 improvement by graveling or oiling or both.”

1 SEC. 2. Publication clause. This act being deemed of immediate
2 importance, shall take effect and be in force from and after its publi-
3 cation in the Des Moines Register and the Des Moines Capital, news-
4 papers published in the city of Des Moines, Iowa.

Approved April 6, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Capital April 7, 1923, and the Des Moines Register April 8, 1923.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 125

CITIES AND TOWNS

S. F. 715

AN ACT to amend section eight hundred thirty-nine (839), code of 1897 (C. C. Sec. 3903), relating to special assessments and appeals therefrom.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Appeal—notice—bond—petition—trial—order — costs.
1 That the law as it appears in section eight hundred thirty-nine (839),
2 code of 1897, (C. C. Sec. 3903) be, and the same is hereby amended
3 by striking out all of said section and by substituting in lieu thereof
4 the following: Any person affected by the levy of any special assess-

5 ment provided for in this chapter may appeal therefrom to the district
6 court as hereinafter provided. The person appealing shall be desig-
7 nated as plaintiff and the city or town as defendant, and a written
8 notice of appeal, directed to such defendant and served upon either
9 the mayor or clerk thereof as original notices in ordinary actions are
10 served, at any time within fifteen (15) days from the date of such
11 levy and within the same time filing in the office of said city or town
12 clerk a bond for the payment of all costs which may be adjudged
13 against the plaintiff which bond shall be approved by either the mayor
14 or clerk thereof or by the clerk of the said district court, in a sum
15 amounting to at least five per cent of plaintiff's assessment appealed
16 from, but in no event less than two hundred fifty dollars, shall be
17 sufficient to give the district court jurisdiction of said appeal and the
18 subject matter thereof; provided further, however, that such plain-
19 tiff shall, on or before the first day of the next term of said district
20 court after said notice of appeal is served, file in the office of the
21 clerk of such district court a petition stating as briefly as may be
22 the grounds of complaint. Upon such appeal, all questions touching
23 the validity of such assessments or amount thereof and not waived
24 under the provisions of this chapter shall be heard and determined.
25 The appeal shall be tried as an equitable action and the court may
26 make such assessment as should have been made or direct the making
27 of such assessment by the city or town council. The costs of the
28 appeal shall be taxed as in other actions.

1 **SEC. 2. Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after the date
3 of its publication in the Des Moines Register and the Des Moines
4 Capital, both newspapers published in Des Moines, Iowa.

Approved April 19, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Register
April 25, 1923, and the Des Moines Capital April 27, 1923.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 126

HIGHWAYS

S. F. 308

AN ACT to amend section one (1) of chapter two hundred thirty (230) of the acts
of the thirty-ninth general assembly, (C. C. Sup. Sec. 3922-a1), relating to the pay-
ment of cost of paving extensions of primary roads within cities and to extend the
provisions thereof to include other cities.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. City paving—primary road fund.** That section one (1)
2 of chapter two hundred thirty (230) of the acts of the thirty-ninth
3 general assembly, (C. C. sup. sec. 3922-a1), be and the same is hereby
4 amended by inserting after the "comma" (,) following the word